

**Notice of Allowability**

Application No.

10/823,983

Examiner

Igor Kershleyan

Applicant(s)

MARES, RICCARDO

Art Unit

3745

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to \_\_\_\_.
2. ☒ The allowed claim(s) is/are 1-34.
3. ☒ The drawings filed on 14 April 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 04/14/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 09.01.05.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_.

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. John Cheek (Reg. No. 39,628) on September 1, 2005.

The application has been amended as follows:

**In the claims:**

In claim 4, line 3, --second-- has been inserted after "a".

The above change has been made to correct inaccuracy.

### ***Reasons for allowance***

The following is an examiner's statement of reasons for allowance:

The instant invention is deemed to be directed to an unobvious improvement to a hydraulic transmission system over U.S. Patent No. 2,903,852 which teaches a

Art Unit: 3745

hydraulic transmission system comprising: a supply means **a** adapted to supply hydraulic working fluid at variable pressure to at least two working lines; at least two hydraulic users **t,u** connected to said supply means **a** via said at least two working lines in a closed circuit configuration; a control **54,57** adapted to generate a desired flow rate of the hydraulic working fluid supplied by said supply means **a**; and a second connection control **s,r** responsive to said control and adapted to control the connection of working line portions connected to the at least two users **t,u** so as to selectively provide serial and parallel connection of the at least two hydraulic users in response to said control signal, and a method of controlling a hydraulic transmission system, said transmission system having a supply means **a** adapted to supply hydraulic working fluid at variable flow rate to at least two working lines, and at least two hydraulic users **t** and **u** connected to said supply means **a** via said at least two working lines in a closed circuit configuration; said method comprising the steps of: providing a control of a desired flow rate of the hydraulic working fluid supplied by said supply means **a**; controlling the connection of working line portions connected to the at least two users **t** and **u** so as to selectively provide serial and parallel connection of the at least two hydraulic users in response to said control.

Regarding claim 1, the improvement comprising a control adapted to generate a control signal indicative of a desired flow rate of the hydraulic working fluid supplied by said supply means; and a second connection control responsive to said control signal and adapted to control the connection of working line portions connected to the at least

Art Unit: 3745

two users so as to selectively provide serial and parallel connection of the at least two hydraulic users in response to said control signal.

Regarding claim 27, the improvement comprises providing a control signal indicative of a desired flow rate of the hydraulic working fluid supplied by said supply means; controlling the connection of working line portions connected to the at least two users so as to selectively provide serial and parallel connection of the at least two hydraulic users in response to said control signal.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Prior Art***

Prior art made of record but not relied upon is considered pertinent to Applicant's disclosure and consist of six patents.

Forster et al. (3,261,421) is cited to show a hydraulic system having a supply means, two hydraulic users connected to the supply means in a closed circuit configuration, a control adapted to control a flow rate of the supply means and a second control for switching the users from serial to parallel connection but fails to teach the control generating a control signal and the second control switching the users for serial to parallel connection responsively to the control signal.

Malm et al. (3,458,005) is cited to show a hydraulic system having a supply pump, two hydraulic users connected to the supply pump, a second control for switching the users from serial to parallel connection but fails to teach a control generating a control signal indicative of a desired flow rate and the second control switching the users for serial to parallel connection responsively to the control signal.

Holdeman et al. (3,788,075) is cited to show a hydraulic system having a supply pump, two hydraulic users connected to the supply pump, a second control for switching the users from serial to parallel connection but fails to teach a control generating a control signal indicative of a desired flow rate and the second control switching the users for serial to parallel connection responsively to the control signal.

Snyder (3,903,697) is cited to show a hydraulic system having a supply pump, two hydraulic users connected to the supply pump, a second control for switching the users from serial to parallel connection but fails to teach a control generating a control signal indicative of a desired flow rate and the second control switching the users for serial to parallel connection responsively to the control signal.

Lorimor (4,343,151) is cited to show a hydraulic system having a supply pump, two hydraulic users connected to the supply pump, a second control for switching the users from serial to parallel connection but fails to teach a control generating a control signal indicative of a desired flow rate and the second control switching the users for serial to parallel connection responsively to the control signal.

Stephenson (6,330,798) is cited to show a hydraulic system having a supply pump, two hydraulic users connected to the supply pump, a second control for switching

Art Unit: 3745

the users from serial to parallel connection but fails to teach a control generating a control signal indicative of a desired flow rate and the second control switching the users for serial to parallel connection responsively to the control signal.

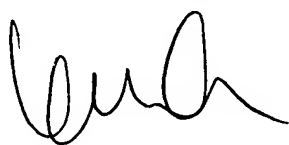

**Contact information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Kershteyn whose telephone number is **(571)272-4817**. The examiner can be reached on Monday-Friday from 8:00 a.m. to 4:30 p.m.

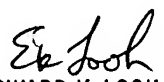
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Look, can be reached on **(571)272-4820**. The fax number is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308 0861.

IK  
September 1, 2005



**Igor Kershteyn**  
**Patent examiner.**  
**Art Unit 3745**



**EDWARD K. LOOK**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 3700**

9/6/05